

USING YOUR COMMISSION

The Cree-Naskapi Commission can travel to your community to explain the Commission and how to use it. All inquiries are confidential and will only be discussed between the parties involved.

The Commission cannot start an inquiry until someone makes an application. This application can be filled out by anyone and asks only very basic information.

This is the entire process:

1. Someone sends the Commission a **signed application form**. These forms are available at the Band office or by calling the Commission. If you wish, Marsha Smoke or Roger Jones from the Commission's office will come to your community to help you prepare your application.
2. To help quickly determine the issues and whether the Commission can or should proceed, the Commission can request a reply in writing from the person (respondent) about which the complaint has been made.
3. Once a complaint has been accepted for investigation, the Commission usually invites the parties to attend a **prehearing** where everyone can put forward evidence of their position and suggestions for working out the disputed matter.
4. All parties to the complaint are then invited to attend a **hearing** where they are given an opportunity to make verbal and written submissions.

The Commission cannot order any of the parties to attend a prehearing or hearing, nor can the Commission enforce its recommendations.
5. However, the Commission does prepare an **Investigation Report and Recommendations** and it is authorized to make a finding of misconduct on the part of any parties involved, whether they cooperated or not, provided sufficient notice and opportunity were given to participate in the investigation.

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For more information call or write to:

Marsha G. Smoke or Roger Jones
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User Guide

CREE- NASKAPI COMMISSION

An Independent Commission
created by the Cree-Naskapi (of Quebec) Act

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WHAT WE ARE

The Cree-Naskapi Commission was established as part of the Cree-Naskapi (of Quebec) Act to ensure that the Act is properly administered and applied.

There are three Commissioners. They have been appointed by the Government of Canada based on recommendations of the Cree Regional Authority and the Naskapi Band. Each Commissioner is appointed for a two-year term. After that, they can be re-appointed, or the Crees and Naskapis can recommend different individuals for appointment as Commissioners.

The Cree-Naskapi Commission is an independent body.

- It is not a court
- It is not a Cree or Naskapi organization
- It is not a part of the Federal or Quebec Governments

The Commission is mainly concerned about problems that the bands, its members or others may be having, in connection with the implementation of the Act.

The Commission takes representations, or complaints from the Bands, from individuals, groups of individuals, or even from the Government of Canada about the way in which the Cree-Naskapi (of Quebec) Act is being carried out. As part of this process, the Commission can conduct hearings and inquiries in the Cree and Naskapi communities.

The Commission has been created to help you and to provide assistance to you. Many may never require the assistance of the Commission but everyone should know that it is there for you.

WHAT WE CAN DO

* As an independent body, the Commission can deal with complaints from all parties affected by the Cree-Naskapi (of Quebec) Act including the bands, band members, individuals, groups of individuals, organizations and the governments.

If any of these parties feel the terms and rules of the Act are not being carried out or are being carried out improperly, they can ask the Commission to investigate.

* Commission staff are available to discuss complaints and to assist in their preparation.

Commissioners and staff are willing to travel to all Communities to meet with you.

Once an investigation is complete, the Commission will provide a Report of their findings, conclusions, and recommendations.

* All complaints, investigations and reports are treated in strict confidence.

POWERS OF YOUR COMMISSION

The Cree-Naskapi (of Quebec) Act puts into law, a form of local government responsible to the Cree and Naskapi people.

The Act deals with a number of matters, some of which include:

- The Powers of the Band and the Band Councils;
- Band By-law Powers;
- Financial Administration of the Bands;
- Band Meetings and Referenda;
- Policing and Administration of Justice;
- Application of Federal and Provincial laws.

The Cree-Naskapi Commission can deal with all matters in the Cree-Naskapi (of Quebec) Act, except as follows:

- Matters that are before the Courts;
- matters challenging the legality or proper enactment of Band By-laws;
- contesting elections results;
- compensation upon expropriation of land by Quebec or the Band.

REPORT TO PARLIAMENT

Every two years, the Cree-Naskapi Commission provides a Report to the Parliament of Canada outlining how the Bands and the Government are implementing the Act.

The Report is prepared after the Commission researches information it receives from Cree Bands, the Cree Regional Authority, the Naskapi Band Council, the Government of Canada and any other concerned party.

The 1986 Report was the first Report presented to Parliament.

YOUR COMMISSIONERS

The three-member Cree-Naskapi Commission is made up of Mr. Justice Réjean F. Paul, who is Chairman, Robert Kanatewat, and Richard Saunders.

Mr. Justice Paul is a Judge of the Superior Court of Quebec and Deputy Judge of the Supreme Court of the Northwest Territories.

Robert Kanatewat was Chief of the Chisasibi Band (formerly Fort George Band), for ten years and was very active in the negotiations of the James Bay and Northern Quebec Agreement.

Richard Saunders has served as Director of Operations for the Alberta Indian Health Care Commission presently on secondment from the Federal Department of Secretary of State.

The Director-General of the Cree-Naskapi Commission is Marsha Smoke.

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Order No.: WF

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